

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86495 of 2023

Arising Out of PS. Case No.-317 Year-2023 Thana- SONBERSA District- Sitamarhi

Vicky Kumar @ Vikki Kumar S/O Sri Yogendra Mestar Village- Sonbarsa
Ward No. 3, P.S.- Sonbarsa, Dist. Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Sonbarsa P.S. Case No. 317 of 2023 for the offences registered
under Sections 21(B)(C) of the N.D.P.S. Act.

3. As per the prosecution case, six cartons Codiwell
Cough Syrup, each containing 100 bottles (each bottle
containing 100 ml) were recovered from the Tempo of the
petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. Petitioner is driver of the seized Tempo and has no concern
with the recovered cough syrup and the tempo was hired for
transportation of seized cough syrup. Petitioner has one criminal



antecedent related to Excise Act and he is in jail custody since 16.10.2023.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner and submits that the recovered Cough Syrup comes under the category of commercial quantity.

6. Considering the fact and circumstances of the case and submissions made on behalf of the parties and recovery of commercial quantity of Cough Syrup, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of petitioner is rejected in connection with Sonbarsa P.S. Case No. 317 of 2023.

(Sunil Dutta Mishra, J)

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